

To: Graham, Kathleen[graham.kathleen@epa.gov]
From: Scalise, Laura
Sent: Thur 8/31/2017 6:14:31 PM
Subject: FW: WaterGen's Marked up MTA and NDA for your review
Proposed MTA
NDA

Kathleen - FYI. Do you want me to cc you on this Water Gen stuff from now on?

From: Scalise, Laura
Sent: Thursday, August 31, 2017 1:02 PM
To: Morgan, Ardra <Morgan.Ardra@epa.gov>; Bauer, Sarah <bauer.sarah@epa.gov>; Cooper, Geoffrey <cooper.geoff@epa.gov>
Cc: Garland, Jay <Garland.Jay@epa.gov>; Nye, Michael <nye.michael@epa.gov>; Borsz, Patrice <Borsz.Patrice@epa.gov>
Subject: FW: WaterGen's Marked up MTA and NDA for your review

The problem with these two mark-ups is that they move away from the CRADA.

All the IP and other provisions added to the MTA should be in the CRADA.

The NDA removes reference to the CRADA and references the MTA instead.

The MTA reads like work for hire. This is not allowed, which is why we defaulted to the CRADA. In addition, Water Gen has had the CRADA for weeks and we have not yet received comments.

In no way can the MTA substitute for the CRADA. If we need another conference call to explain this to Water Gen, that is fine.

We have done our part so far. Water Gen needs to do it our way, at least with regard to these agreements.

- Laura

*"Everything should be made as simple as possible,
but not simpler." - Albert Einstein*

Laura Scalise

Patent Attorney

WJCN 7426-S

Office: 202-564-8303

iPhone: 202-839-1488 (for telework)

From: Morgan, Ardra

Sent: Thursday, August 31, 2017 11:04 AM

To: Scalise, Laura <Scalise.Laura@epa.gov>; Cooper, Geoff <Cooper.Geoff@epa.gov>; Bauer, Sarah <Bauer.Sarah@epa.gov>

Cc: Garland, Jay <Garland.Jay@epa.gov>; Nye, Michael <nye.michael@epa.gov>; Borsz, Patrice <Borsz.Patrice@epa.gov>

Subject: WaterGen's Marked up MTA and NDA for your review